

New Mexico State University
Board of Regents Meeting
Meeting Date: May 13, 2016

- Action Item
- Consent Item
- Informational Item

Presented by: Liz Ellis, General Counsel

Report Summarizing Recent Revisions to the Administrative Rules and Procedures of NMSU:

Commencing with the adoption of revised Rule 1.10 (NMSU System Policy and Administrative Rules and Procedures), the Board of Regents receives regular informational reports regarding amendments to the Administrative Rules and Procedures of NMSU (the “ARP”). The following Rules were adopted or revised between December 11, 2015 and April 12, 2016:

1. Rule 4.30.30- Process to Determine Ineligibility for Rehire:

Rule 4.30.30 was amended on April 12, 2016 to clarify and streamline the process by which employees who separate from NMSU service may be deemed ineligible for rehire. The process applies to employees terminated involuntarily for serious misconduct, and also to those who may be discovered to have committed serious misconduct during or after their resignation period. The process provides notice and opportunity to rebut the evidence which is presented to the employee proposed for such status.

2. Rule 2.90.20 – Access to Student Educational Records- FERPA Compliance:

Rule 2.90.20 was amended on April 12, 2016 to restructure the Rule into ARP format, clarifying the university’s obligations to protect student privacy under FERPA, and to notify students about the processes available to seek amendment or supplementation of their academic record. Additionally, with assistance from ICT’s compliance officer, new provisions were added which require a duty to report potential and actual FERPA protected data security breaches, and the university’s response thereto.

Submitted by:

Liz Ellis, General Counsel